

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 02-2101**

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SHEILA H. KERSHAW,

Plaintiff - Appellant,

versus

COMMISSIONER OF THE SOCIAL SECURITY  
ADMINISTRATION,

Defendant - Appellee.

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Appeal from the United States District Court for the Western  
District of North Carolina, at Asheville. Lacy H. Thornburg,  
District Judge. (CA-02-131-1-T)

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Submitted: March 24, 2003

Decided: April 29, 2003

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Before WILKINSON, MOTZ, and GREGORY, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Stephen L. Barden, III, BALL, BARDEN & BELL, P.A., Asheville, North  
Carolina, for Appellant. Robert J. Conrad, Jr., United States  
Attorney, Paul B. Taylor, Assistant United States Attorney, Lisa de  
Soto, General Counsel, Charlotte J. Hardnett, Associate General  
Counsel, Eileen A. Farmer, Office of the General Counsel, SOCIAL  
SECURITY ADMINISTRATION, Baltimore, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Sheila H. Kershaw appeals the district court's order dismissing her complaint with prejudice for lack of subject matter jurisdiction pursuant to Fed. R. Civ. P. 12(b)(1) based on the doctrine of res judicata. We have reviewed the record and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Kershaw v. Commissioner, No. CA-02-131-1-T (W.D.N.C. Aug. 28, 2002). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED